



**Liquor & Tobacco Advisory Board Agenda
Tuesday, November 16, 2021
6:00 P.M. – City Council Chambers, 2nd floor, City Hall
425 East State Street
Rockford, IL 61104
779-348-7163**

Present:

ZBA Members: Jennifer Spencer
Craig Sockwell
Jennifer Smith
Tom Fabiano
Dan Roszkowski
Kim Johnsen

Absent: Maurice Redd

Staff Megan McNeill – Assistant City Attorney
Brenda Muniz- Land Use Planner
Scott Capovilla - Planning and Zoning Manager
Mike Rotolo- Fire Prevention Coordinator
Jeremy Carter - Traffic Engineer

Others: John Clishem – Court Reporter (Planet Depos)
Applicants and Interested Parties

Scott Capovilla explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative will come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name to the Liquor & Tobacco Advisory Board secretary and the stenographer
- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.

- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

The LTAB meeting is not a final vote on any item. However, it is the only time in which the public may participate. After the LTAB meeting, the item moves on to the Code & Regulation Committee. Although the public is invited to attend the meeting, public input is not allowed at the committee meeting. The date of the Code & Regulation meeting will be Monday, November 22, 2021 at 5:30 PM in City Council Chambers (2nd floor of City Hall) as the second vote on these items. The third and final meeting in this process is the City Council. That vote is tentatively scheduled on Monday, December 6, 2021. If the item is laid over at the LTAB meeting, the next meeting is **Tuesday, December 21, 2021**. If for any reason the item is laid over at the committee level or on the city council floor, the item is automatically laid over for two (2) weeks.

The meeting was called to order at 6:31 PM. A **MOTION** was made by Jennifer Smith to **APPROVE** the October 19, 2021 meeting minutes. The motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 4-0 with Dan Roszkowski and Kim Johnsen abstaining.

21-LTAB-024

Applicant
Ward 11

309 and 311 7th Street

Eclectic Event Planning LLC / Clareisa Schwartz dba Eclectic Event Planning
The sale of liquor by the drink in conjunction with an event space with video gaming in a C-4, Urban Mixed-Use Zoning District
Laid over from October's meeting

Staff requested a Layover. Jennifer Smith asked Staff why this item was being laid over. Megan McNeill, Assistant City Attorney, indicated that there is proposal to change a policy regarding City Employees ability to hold or have an interest in a liquor license.

A **MOTION** was made by Kim Johnsen to **Layover** the application for the sale of liquor by the drink in conjunction with a restaurant with outdoor seating in a C-3, General Commercial District The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 6-0.

21-LTAB-027

Applicant
Ward 3

214 East State Street

The Standard-214 East State LLC dba The Standard on State
The sale of liquor by the drink in conjunction with a wedding and events facility with outdoor seating in a C-4, Urban Mixed-Use Zoning District

John Koehler was present representing The Standard-214 East State LLC. He indicated that The Standard is a wedding and events venue that has been in business for over 5 years and has applied for a liquor license to allow for full bar service during these events.

Jennifer Spencer asked if there was a new business owner. John Koehler indicated that Paul Sletten held the last liquor license and was the exclusive caterer for these events but is no longer part of the business. The catering business agreement had expired on November 9 of this year.

Kim Johnsen asked if there was any changes to existing business operations and John Koehler that there would not be any changes.

Assistant City Attorney Megan McNeill asked John Koehler if he and his client had reviewed and understood the conditions of approval and if they were in agreement. John Koehler indicated that they had read the conditions and they were in agreement.

No objectors or interested parties were present. Staff Recommendation was for approval.

A **MOTION** was made by Jennifer Smith to **APPROVE** the application for the sale of liquor by the drink in conjunction with a wedding and events facility with outdoor seating in a C-4, Urban Mixed-Use Zoning District. The motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 6-0.

Approval is based on the following conditions:

1. Must meet all applicable Building and Fire codes.
2. Compliance with all City of Rockford Code of Ordinances including Liquor Codes.
3. The sale of liquor by the drink shall be limited to submitted Exhibit E.
4. The hours of operation will be limited to 8:00 A.M. to 2:00 A.M., Monday through Saturday for the wedding and events facility with outdoor seating.
5. Outdoor music would have to cease operations at 10:00 P.M. per the City's Noise Ordinance (Section 17-33).
6. The rooftop venue will be subject to the City's Liquor Codes.
7. As presented within the Applicant's proposal, the proposed use and facility is prohibited from having any video gaming machines.
8. Window display signage is limited to 20% of window area.
9. The windows shall not be covered with bars or other devices that block the windows.
10. Private security will be employed for events open to the public.
11. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
12. All outstanding general ordinance fines must be paid prior to the issuance of the license.
13. All conditions must be met prior to establishment of use.

21-LTAB-028

Applicant
Ward 6

3003 11th Street

Mahood Abdulqader/ 11th Street Gas Mart, Inc. dba Shell Gas
The sale of tobacco products in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District

The Applicant, Mahood Abdulqader, was present along with Sam Zubi who was speaking for the Applicant. Sam Zubi indicated that they were present to request a tobacco license to sell tobacco products at an existing gas station and convenience store.

Assistant City Attorney Megan McNeill asked if the Applicant had reviewed and agreed to the conditions of approval. Sam Zubi indicated that they did not agree with conditions 7, 8 and 9. Attorney McNeill asked that Mr. Zubi elaborate on why they did not agree to conditions 7, 8 and 9. Mr. Zubi indicated that they did not understand why the request to remove the existing freestanding and requested the condition be removed. He referenced Chapter 17 of the Code of Ordinance under the Sign and Advertising saying that the business was open and had not been closed for more than four months.

Kim Johnsen asked if the business owner was changing and Mr. Zubi said that there would be a new business owner that would be leasing the property. Kim Johnsen said that it did not affect the referenced ordinance.

Jennifer Smith indicated that the issue was the non-conforming freestanding. She stated, in the past, others have been required to bring the freestanding sign into compliance with current sign ordinance, which requires a landmark style sign. She clarified the difference between the two types of signs. Ms. Smith asked Mr. Zubi about condition 9 and why he was not in agreement with it. Mr. Zubi indicated that the

weather was an issue. Ms. Smith asked if the condition were modified to include compliance by May 31, 2022 would that be acceptable and Mr. Zubi was in agreement.

Craig Sockwell asked Attorney McNeill how she felt about conditions 7, 8 and 9. Attorney McNeill indicated that she agreed with Staff's recommendation to bring the sign into compliance.

The board members discussed previous request for other businesses having to bring non-conforming freestanding signs into compliance. They felt this was the opportunity to make improvements to properties.

Staff Recommendation was for approval. No objectors or interested parties were present.

A **MOTION** was made by Jennifer Smith to **APPROVE** the application for the sale of tobacco products in conjunction with a gas station and convenience store in a C-3, General Commercial Zoning District. The motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

Approval is based on the following conditions:

1. Meet all Building and Fire Codes.
2. Compliance with all City of Rockford Code of Ordinances including Tobacco Codes.
3. The sale of tobacco products shall be limited to the interior floor elevation shown as Exhibit E.
4. The hours of operation will be limited to 5:00 A.M. to Midnight, Monday through Sunday.
5. Window display signage is limited to 20% of window area.
6. That the windows shall not be covered with bars or other devices that block the windows.
7. Removal of the non-conforming freestanding sign by May 31, 2022.
8. The existing freestanding sign shall be replaced with a landmark style sign in accordance with the Sign Ordinance.
9. The handicap parking spaces must be striped and proper signage installed as required by law.
10. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into drug paraphernalia is prohibited.
11. The sale of water pipes and "huka" or "hookah" pipes are prohibited.
12. Must repair gas canopy under a building permit.
13. Must remove temporary signage that is in violation on gas pumps and window surface area.
14. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
15. All outstanding general ordinance fines must be paid prior to the issuance of the license.
16. All conditions must be met prior to establishment of use.

With no further business to come before the Board, the meeting was adjourned at 6:44 PM.

Respectfully submitted,
Brenda Muniz, Land Use Planner
Liquor & Tobacco Advisory Board